

SUBCHAPTER I—AIRPORTS

§ 101501. Airports in or near System units

(a) DEFINITIONS.—In this section, the terms “airport”, “project”, “project costs”, “public agency”, and “sponsor” have the meanings given the terms in section 47102 of title 49.

(b) ACQUISITION, OPERATION, AND MAINTENANCE OF AIRPORTS.—

(1) AUTHORIZATION.—The Secretary may plan, acquire, establish, construct, enlarge, improve, maintain, equip, operate, regulate, and protect airports in the continental United States in, or in close proximity to, System units, when the Secretary determines that the airports are necessary to the proper performance of the functions of the Department of the Interior.

(2) INCLUSION IN NATIONAL PLAN.—The Secretary shall not acquire, establish, or construct an airport under this section unless the airport is included in the national plan of integrated airport systems formulated by the Secretary of Transportation pursuant to section 47103 of title 49.

(3) OPERATION AND MAINTENANCE MUST ACCORD WITH STANDARDS AND REGULATIONS OF SECRETARY OF TRANSPORTATION.—The operation and maintenance of airports under this section shall be in accordance with the standards and regulations prescribed by the Secretary of Transportation.

(c) AUTHORITY OF SECRETARY.—

(1) IN GENERAL.—To carry out this section, the Secretary may—

(A) acquire necessary land and interests in or over land;

(B) contract for the construction, improvement, operation, and maintenance of airports and incidental facilities;

(C) enter into agreements with other public agencies providing for the construction, operation, or maintenance of airports by those agencies or jointly by the Secretary and those agencies on mutually satisfactory terms; and

(D) enter into other agreements and take other action with respect to the airports as may be necessary to carry out this section.

(2) CONSENT REQUIRED.—This section does not authorize the Secretary to acquire any land, or interest in or over land, by purchase, condemnation, grant, or lease, without first obtaining the consent of the Governor of the State, and the consent of the chief executive official of the State political subdivision, in which the land is located.

(d) AUTHORIZATION TO SPONSOR AIRPORT PROJECTS.—To carry out this section, the Secretary may—

(1) sponsor projects under subchapter I of chapter 471 of title 49 independently or jointly with other public agencies; and

(2) use, for payment of the sponsor’s share of the project costs of those projects, any funds that may be—

(A) contributed or otherwise made available to the Secretary for those purposes; or

(B) appropriated or otherwise specifically authorized for that purpose.

(e) JURISDICTION OVER AIRPORTS.—All airports under the jurisdiction of the Secretary, unless otherwise specifically provided by law, shall be operated as public airports, available for public use on fair and reasonable terms and without unjust discrimination.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3129.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101501(a)	16 U.S.C. 7e.	Mar. 18, 1950, ch. 72, §§1 through 5, 64 Stat. 27; Pub. L. 85–726, title XIV, §1402(e), Aug. 23, 1958, 72 Stat. 807; Pub. L. 89–763, Nov. 5, 1966, 80 Stat. 1313; Pub. L. 91–258, title I, §52(b)(1), May 21, 1970, 84 Stat. 235.
101501(b)	16 U.S.C. 7a.	
101501(c)	16 U.S.C. 7b.	
101501(d)	16 U.S.C. 7c.	
101501(e)	16 U.S.C. 7d.	

In subsections (a) and (d)(1), the words “subchapter I of chapter 471 of title 49” are substituted for “the Federal Airport Act”. The Federal Airport Act was repealed by section 52(a) of the Airport and Airway Development Act of 1970 (Public Law 91–258, 84 Stat. 235), and the Airport and Airway Development Act of 1970 replaced the Federal Airport Act. The Airport and Airway Development Act of 1970 was repealed by section 523(a) of the Airport and Airway Improvement Act of 1982 (Public Law 97–248, 96 Stat. 695). The Airport and Airway Improvement Act of 1982, which replaced the Airport and Airway Development Act of 1970, was enacted as subchapter I of chapter 471 of title 49 by section 1(e) of the Act of July 5, 1994 (Public Law 103–272, 108 Stat. 1245).

In subsection (b)(2), the words “section 47103 of title 49” are substituted for “the Federal Airport Act”. The Federal Airport Act was repealed by section 52(a) of the Airport and Airway Development Act of 1970 (Public Law 91–258, 84 Stat. 235). Section 12 of the Airport and Airway Development Act of 1970, which provided for a national airport system plan, was replaced by section 504 of the Airport and Airway Improvement Act of 1982 (Public Law 97–248, 96 Stat. 675). Section 504 was enacted as section 47103 of title 49 by section 1(e) of the Act of July 5, 1994 (Public Law 103–272, 108 Stat. 1251).

In subsection (c), the text of 16 U.S.C. 7b (last proviso) is omitted as obsolete.

In subsection (c)(2), the words “chief executive official of the” are added for clarity and for consistency in the new title.

In subsection (d)(2)(A), the words “(receipt of which funds and their use for such purposes is authorized)” are omitted as unnecessary.

SUBCHAPTER II—ROADS AND TRAILS

§ 101511. Authority of Secretary

(a) ROADS AND TRAILS IN SYSTEM UNITS.—The Secretary may construct, reconstruct, and improve roads and trails, including bridges, in System units.

(b) APPROACH ROADS.—

(1) IN GENERAL.—

(A) DESIGNATION.—When the Secretary determines it to be in the public interest, the Secretary may designate, as System unit approach roads, roads whose primary value is to carry System unit travel and that lead across land at least 90 percent owned by the Federal Government and that will connect the highways within a System unit with a convenient point on or leading to the National Highway System.